CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION

CLEANUP AND ABATEMENT ORDER NO. 98-019 (REVISION NO. 2)
ISSUED TO
SALTON COMMUNITY SERVICES DISTRICT
DESERT SHORES WASTEWATER TREATMENT PLANT
Desert Shores-Imperial County

The Executive Officer of the California Regional Waler Quality Control Board, Colorado River Basin Region (hereinafter referred to as the Regional Board) finds that:

1. The Salton Community Services District (SCSD) P.O. Box 5268, Desert Shores, California 92275 (hereinafter also referred to as the discharger) owns and operates the Desert Shores Wastewater Treatment Plant and related conveyance system (hereinafter referred to as the facility). The facility receives and treats an annual average of approximately 0.144 million gallons-per-day of domestic sewage.

2. Wastewater is treated at the facility through the use of seven facultative lagoons. Aeration is provided through the use of three aerators. Currently, the treatment process does not treat the wastewater to reduce its salt content. Disposal of treated wastewater is performed by evaporation and soil infiltration.

3. The discharge from this facility is regulated by waste discharge requirements contained in Board Order No. 90-073, adopted by the Regional Board on November 28, 1990. Board Order No. 90-073 contains discharge specifications, and provisions necessary for the protection of State waters and/or public health

4. SCSD staff, on July 24, 1995 and Regional Board staff, on August 23, 1995, found that the facility has received 8 significant amount of water from the Salton Sea infiltrating into the collection system and subsequently entering the treatment and disposal systems.

5. Numerous complaints from adjacent property owners were received in this office during 1996, 1997 and 1998. The complaints state that the wells serving the adjacent properties have become increasingly saline.

6. Regional Board staff conducted a field investigation on February 21, 1996, which revealed increased vegetation, soil moisture staining, and salt crusting at the ground surface below the facility percolation basins, indicating that water is being removed as it moves laterally away from the facility. As water is removed from the migrating wastewater, the wastewater becomes more saline.

7. By letter dated March 18, 1996, the Regional Board staff requested SCSD to submit a technical report in order to determine the impact of the facility on the ground water beneath the site.

8. On September 9, 1996, Regional Board staff received a report entitled "Results of Soil Engineering Study at Desert Shores Wastewater Treatment Plant, West Side of Highway 86 at Desert Shores, Imperial County, California" (hereinafter referred to as the Technical Report).

9. The Visual Site Assessment Section of the Technical Report (Pages 1 and 2) stated, in part, that:

> ". . .In general, the subject site slopes to the east and southeast.. . Moist surface soils were observed along the eastern boundary of the wastewater treatment facility fence line and along the prominent drainage feature that traverses the open space between the treatment ponds and the adjacent property owner.. .Moist or damp soils were also noted in the lower elevation points in the vacant area."

10. The Technical Report (Pages 3 and 4) concluded that:

> "As indicated by the shallow water levels in the borings and observed moist surface soils between the percolation poods and the adjacent residential property, there is low to moderate probability that the effluent from the percolation ponds is migrating ooto the nearby downgradient properties...The selected analyses conducted on the water samples collected from the borings and wells located oo aod between the subject properties, appears to indicate that other area toward the downgradient property"

By letter dated October 9, 1996, Regional Board staff Informed SCSD staff that based on the Technical Report findings described in Items 9 and 10 (above) and information contained in the Regional Board files, it was determined that the facility is causing pollution of the ground water and domestic water wells in the vicinity of the plant.

12. In a meeting on October 16, 1996, Regional Board staff informed the staff of SCSD that the facility appears to have impacted the ground water in the vicinity of the site.

13. On November 4, 1996, Regional Board staff collected wastewster samples from the facility. Analyses of the collected samples indicated total dissolved solids (TDS) concentrations ranging between 7,139 mg/L to 16,984 mg/L. Background data of the area ground water indicates average TDS values of 2,000 mg/L.

14. 00 November 25, 1996, the Monitoring and Reporting Program for the facility was revised to include monitoring the collection system and treatment facilities for TDS.

15. Monitoring data submitted by the discharger indicated high concentrations, up to 17,381 mg/L, of total dissolved solids in certain sections of the wastewater collection system Typical values for TDS concentration.5 for wastewater in the Desert Shores area range from 800- 1,200 mg/L

16. Ground water samples collected on April 27, 1997 indicated that the TDS concentration in a downgradient well located at a residence in the vicinity of the treatment plant is 10,997 mg/L. The federal secondary maximum containment level (MCL) for TDS in drinking water is 1,000 mg/L.

17. On August 5, 1997, Regional Board staff made a presentation during the SCSD Board of Directors' regular monthly meeting. Regional Board staff informed the SCSD Board Directors that the District should plan to address the ground water conditions in the vicinity of the facility.

18. By letter &ted August 11, 1997, Regional Board staff requested the SCSD to submit a corrective action plan addressing the degradation of water quality in the well water of downgradient properties.

19. A technical report entitled "Corrective Action Plan - Desert Shores Wastewater Collection and Disposal System", &ted September 12, 1997, was submitted by the discharger. The report indicates that high salinity in the ground water is a result of titrating wastewater from treatment ponds. The report further concludes that restoring the quality of the areal ground water downgradient of the facility to the point where it is suitable for domestic use again is not likely to be technically feasible.

20. A technical report entitled "Well Replacement Evaluation - Desert Shores Wastewater Collection and Disposal System", dated December 1, 1997, was submitted by the discharger. The report concludes that connecting the existing impacted residences to a municipal water supply is technically feasible and would probably cost between $35,000 and $123,000, depending on details of the water pipe construction.

21. Discharge Specification No. 1 of Board Order No. 90-073 states:

> "The treatment or disposal of wastes at this facility shall not cause pollution or nuisance as defined in Sections 13050(l) and 13050(m) of Division 7 of the California Water Code."

22. Discharge Specification No. 2 of Board Order No. 90-073 states:

> "No wastewater other than domestic wastewater shall be discharged into tbe sewage disposal system described in Finding No. 2, above."

23. Discharge Specification

infiltration and

> minimize the increase in salinity of the infiltrating wastewater by evaporation."

24. The discharger has violated Discharge Specification No. 1 in Board Order No. 90-073 by causing a condition of pollution, Ground water pollution has occurred as evidenced in the nearby domestic well used by an adjacent property as indicated in Finding No. 16.

25. The *discharger* has violated Discharge Specification No. 2 in Board Order No. 90-073 by allowing Salton Sea intrusion into the sewage collection system serving Desert Shores as indicated in Findings No. 13 and 15.

26. The discharger has violated Discharge Specification No. 9 in Board Order No. 90-073 by operating these ponds in such a manner that water migrating from the pond system has moved laterally near the ground surface. The lateral movement has resulted in an increased concentration of Total Dissolved Solids (salts) in the migrating water as it flows away form the treatment facility as indicated by Findings No. 6 and 9.

27. On March $1998, tbe Executive Officer of the Regional Water Quality Control Board, issued Cleanup and Abatement Order No. 98-019, which includes a compliance schedule for completion of several tasks.

28. Item No. 1 of Cleanup and Abatement Order No. 98-019 requires the discharger to submit a corrective action plan for the Desert Shores Wastewater Treatment Plant, by September 1, 1998. The discharger has complied with this item in a timely manner.

29. Item No. 2 of Cleanup and Abatement Order No. 98-019 requires the discharger to conduct a survey of the collection system, and complete all repairs necessary

30.

in a letter dated November 2, 1998, tbe Salton Community Services District requested an extension of the compliance date discussed in Finding No. 29 above, to July 1, 1999.

31. On December 11, 1998, the Executive Officer issued Cleanup and Abatement Order No. 98-019 (Revision No. 1). The revised order deleted the requirement to submit a corrective action plan (complete), and as per the dischargers request, extended the deadline for surveying and correcting the problems associated with the collection system to July 1, 1999.

32. In a letter dated January 20, 1999, the discharger requested the extension of the deadline for providing continued delivery of piped circulating water from March 1, 1999, to July 1, 1999.

33. In a conversation with Regional Board staff on January 26, 1999, the discharger indicated that it will comply with the March 1, 1999, deadline for clean up of topsoil impacted by infiltration from the wastewater treatment plant.

34. The Water Quality Control Plan of the Colorado River Basin Region of California (Basin Plan) was adopted on November 17, 1993 and designates the beneficial uses of ground and surface waters in this Region.

35. The beneficial uses of the ground waters in the West Salton Sea Hydrologic Unit are:

Municipal Supply (MUN)
Agricultural Supply (AGR)

36. Section 13304 of the California Water Code requires any person who has discharged or discharges waste into waters of the State in violation of any waste discharge requirement or other order or prohibition issued by a Regional Board, or who causes or permits, of threatens to cause or permit any waste to be discharged into the waters of the state and creates, or threatens to create, a condition of pollution or nuisance may he required to clean up the discharge and abate the effects thereof

37. The discharger has polluted the soil and groundwater in the vicinity of the facility as evidenced by Findings No. 4, 5, 6, 9, 10, 13, 15, and 16.

38. On February 19, 1998, Regional Board staff met with SCSD staff. The SCSD staff agreed to the following:

a. Repair the collection system in order to prevent Salton Sea water intrusion into the system
b. Address the ground water pollution problem at the wastewater treatment facility.
c. Remove and replace contaminated soil in the vicinity of the treatment plant
d. Provide an alternative domestic water supply to impacted residences in the vicinity of the plant.

36. This enforcement action is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.) in accordance with Section 15321, Article 19, Division 3, Title 14, California Code of Regulations.

IT IS HEREBY ORDERED, that Cleanup and Abatement Order No. 98-019 is rescinded, and in accordance with Section 13304 of the California Water Code, the discharger shall abate the pollution and nuisance threat by complying with the following:

1. By July 1, 1999, provide a permanent and continued delivery of piped, circulating water for the downgradient residences adversely impacted by percolation from the wastewater treatment lagoons.

2. By March 1, 1999, clean up all topsoil impacted by the high salinity of the wastewater in the vicinity of the treatment plant.

3. By July 1, 1999, conduct a survey of the collection system, and complete all repairs necessary to prevent intrusion of Salton Sea water into the system This includes, but is not limited to, the replacement of 2,500 feet of a 6-inch sewer main at Acapulco Lane, and the replacement of 2,000 feet of a 6-inch sewer main at Capri Lane.

4. The discharger shall submit quarterly monitoring reports detailing progress towards compliance with the above-mentioned tasks. The reports shall be submitted by January 15, April 15, July 15, and October 15, of each year until completion of all tasks described in Items 1, 2, and 3 of this Order.

Pursuant to Section 3304 of the California Water Code, **SCSD** is hereby notified that the Regional Board in entitled to, and may seek reimbursement for **all** reasonable costs actually incurred by the Board to investigate the pollution and to oversee the actions required by this Order. **SCSD** shall reimburse the Board upon receipt of a billing statement for those costs.

if in the opinion of the Regional Board's Executive Officer, **SCSD** fails to comply with the provisions of this Order, in a timely manner, SCSD may be subject to further enforcement action. Such actions may include, but not be limited to, the assessment of administrative civil liability pursuant to Section 13323 and 13350 of Division 7, **Article** 25, of the California Water Code, and referral for any injunctive relief and civil or criminal liability.

Gary L. Morris
for Executive Officer

2/2/99
Date